



#4/Election
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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

NISHIBATA et al.

Application No.: 09/584,769

Filed: June 1, 2000

For: SCROLL THRUST BEARING

Art Unit: 3682

Examiner: W. Joyce

Attorney Dkt. No.: 107344-00001

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RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231

Date: September 28, 2001

Sir:

In response to the Election of Species Requirement dated August 31, 2001, Applicants hereby elect Group I, Figs. 1-6. It is respectfully submitted that claims 1-7, 9 and 23 read on the elected species. The foregoing election is made with traverse.

As indicated in the Election of Species Requirement, claim 1 is generic.

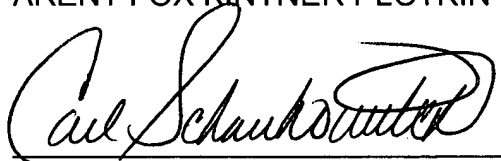
Furthermore, claims 1-4, 10-12, 14, 16 and 23 read on Group II, Figs. 7-11; Group III, Fig. 12; Group IV, Fig. 13; Group VI, Figs. 15 and 16 and Group VII, Fig. 17. It is respectfully submitted that the subject matter of at least Groups II, III, IV, VI and VII are so closely related that claims 1-4, 10-12, 14, 16 and 23 should be examined with at least these groups combined into a single group. Also, claims 1-4 and 17-23 read on Group VIII, Figs. 18-21 and Group IX, Fig. 22. Again, it is respectfully submitted that the subject matter of these groups are so closely related that claims 1-4 and 17-23 should be examined with at least these two groups combined into a single group.

In addition, it is respectfully submitted that the subject matter of all claims is sufficiently related that a thorough search for the subject matter of any one group of claims would necessarily encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims that are distinct or independent inventions" (emphasis added).

It is respectfully submitted that this policy should apply to the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the United States Patent and Trademark Office.

Respectfully submitted,

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